

1 **WAGANAKISING ODAWAK STATUTE**
2 **FINANCIAL DISCLOSURE BY TRIBAL OFFICIALS**
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5 **SECTION I. PURPOSE**
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7 This Statute is hereby enacted to establish a standard requirement for financial disclosure
8 from elected and appointed officials in accordance with the Tribal Constitution, Article XV.
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10 **SECTION II. DEFINITIONS**
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- 12 **A.** The “Tribe” means the Little Traverse Bay Bands of Odawa Indians.
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14 **B.** “Official” means any elected position, any position appointed by Tribal Council.
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16 **C.** “Immediate Family” means husband, wife, son, daughter, step-son, step-daughter, father,
17 step-father, father-in-law, mother, step-mother, mother-in-law, brother, step-brother,
18 brother-in-law, sister, step-sister, sister-in-law, child, step-child, son-in-law, daughter-in-
19 law or a person whose relationship with the Tribal Citizen is similar to that of persons who
20 are related by blood or marriage.
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22 **D.** “Personal Financial Interest” shall mean a financial interest for the official or any
23 immediate family members.
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25 **E.** “Tribal Citizen” means an enrolled member of the Little Traverse Bay Bands of Odawa
26 Indians.
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29 **SECTION III. CONFLICT OF INTEREST**
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- 31 **A.** The Tribal Chairperson and Vice-chairperson shall not be employed in any Tribal
32 enterprises over which they have been delegated oversight authority.
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34 **B.** In carrying out the duties of Tribal office, no Tribal Official elected or appointed, shall
35 make or participate in making decisions which provides to the official or the official’s

1 immediate family a personal financial interest other than an interest held in common by
2 all Tribal Citizen.
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4 **C.** In carrying out the duties of Tribal office, no members of any Executive Tribal
5 Commissions, Boards or Committees shall make or participate in making decisions
6 changing the level of any monetary Tribal benefits they are receiving.
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8 **D.** Officials who fail to abide by this Statute may be charged with a violation of the
9 Constitutionally Mandate Rules of Conduct for Tribal Officials, Conflict of Interest,
10 including failure to submit required information.
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13 **SECTION IV. DISCLOSURE REQUIRED** 14

15 **A.** All elected officials shall disclose the information listed in Section V prior to being sworn
16 into office and shall submit such information to the Legislative Office. The information
17 shall be treated as sensitive and shall be available in accordance with Disclosure of Public
18 Document Statute or as amended, unless otherwise by court order.
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20 **B.** All persons appointed to any Executive commission, board, committee, or positions
21 required by Tribal Council shall disclose the information listed in Section V, E, and shall
22 submit same to the Legislative Office prior to taking office.
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24 **C.** All elected and appointed officials shall disclose the information listed in Section V on an
25 annual basis or in the event any changes occurring that effect the information listed in
26 Section V.
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28 **D.** Any disclosure required by this statute that cannot be met due to time of enactment shall
29 be due within 120 days after enactment of this Statute.
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32 **SECTION V. DISCLOSURES LISTED** 33

34 **A.** A statement identifying all employers, all positions currently held (board seats etc.), any
35 financial interest in a business, company, corporation, stock or bond, but not retirement
36 funds, mutual funds or any type of financial instrument in which the owner does not have

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3 **B.** A list of clients, if providing consulting activities;
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5 **C.** A list of all revenue and the reason for the revenue that is derived from any other Tribe ;
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7 **D.** Location of all real-estate holdings.
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9 **E.** Executive Commissions, Boards and Committees are exempt from supplying the above
10 list however they must sign a statement verifying that any of their holdings in the above
11 list are not a conflict with the position they hold.
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14 **SECTION VII. PROCEDURES REQUIRED**

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16 The Legislative Office shall develop a procedure to collect, hold and release information
17 required by this Statute for all elected and appointed officials.
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20 **SECTION VIII.**

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23 **SECTION IX. SEVERABILITY**

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25 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any
26 reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall
27 be deemed a separate, distinct and independent provision and such holding shall not affect the
28 validity of the remaining portions thereof.
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31 **SECTION X. EFFECTIVE DATE**

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33 Effective upon signature of the Executive or 30 days from Tribal Council approval or Tribal
34 Council override of Executive veto which ever comes first.
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CERTIFICATION

DRAFT